

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TOMAS MEZA-DE LA CRUZ, *et al.*,

Defendants.

CASE NO. CR16-0136-JCC

ORDER

This matter comes before the Court on the Government's motion for entry of a final order of forfeiture (Dkt. No. 287) for the following property:

1. One HTC cellular phone, model OPM9200, seized on April 26, 2016 in Marysville, Washington;
2. One HTC cellular phone, model OPM9200, DEC 256691587301459791, seized on April 26, 2016 in Marysville, Washington;
3. One Kyocera cellular phone, Model S2151 Kona, DEC 268435462512453494, seized on April 26, 2016 in Marysville, Washington;
4. One Kyocera cellular phone, DEC 268435462508191445, seized on April 26, 2016 in Marysville, Washington;
5. One Kyocera cellular phone, Model S2151 Kona, DEC 268435462508198220, seized on April 26, 2016 in Sultan, Washington;

6. One Kyocera cellular phone, Model S2151 Kona, DEC 268435462508191401, seized on April 26, 2016 in Sultan, Washington;
7. One Kyocera cellular phone, Model S2151 Kona, DEC 268435462508192255, seized on April 26, 2016 in Marysville, Washington;
8. One Apple iPhone, IMEI 352027063212028, seized on April 26, 2016 in Marysville, Washington;
9. One Apple iPhone, Model A1453, IMEI 352026063665433, seized on April 26, 2016 in Marysville, Washington;
10. One Samsung Model SM-B311V, HEX A0000048ED878D seized on April 26, 2016 in Sultan, Washington;
11. One Samsung cellular phone, Model SM-G360T1, FCC ID A3LSMG360T, seized on April 26, 2016 in Sultan, Washington; and,
12. One LG Model GPLGL16CB, DEC 270113184102222133 seized on April 26, 2016 in Sultan, Washington.

The Court, having reviewed the motion and the relevant record, GRANTS the motion (Dkt. No. 287) and FINDS that entry of a final order of forfeiture is appropriate because:

1. The Court entered Preliminary Orders of Forfeiture finding the above-identified cell phones forfeitable pursuant to 21 U.S.C. § 853 and forfeiting Defendants' interests in them (Dkt. Nos. 127, 185, 193, 221, 275);
2. Thereafter, the United States published notice of the pending forfeitures as required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure 32.2(b)(6)(C) (Dkt. Nos. 144, 199, 204, 240) and provided direct notice to two identified potential claimants as required by Federal Rule Criminal Procedure 32.2(b)(6)(A) (Dkt. No. 287-1 at 2, 12–30); and
3. The time for filing third-party petitions has expired, and none were filed.

Therefore, the Court ORDERS:

1. No right, title, or interest in the above-identified cell phones exists in any party other than the United States;
2. The above-listed property is fully and finally condemned and forfeited, in its entirety, to the United States.

DATED this 5th day of October 2018.

A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE